

260C.15 Conduct of elections.

1. Regular elections held by the merged area for the election of members of the board of directors as required by [section 260C.11](#) or for any other matter authorized by law and designated for election by the board of directors of the merged area shall be held on the date of the school election as fixed by [section 277.1](#). However, elections held for the imposition, rate increase, or discontinuance of the twenty and one-fourth cents per thousand dollars of assessed valuation levy authorized in [section 260C.22](#) shall be held either on the date of the school election as fixed by [section 277.1](#) or at a special election held on the second Tuesday in September of the even-numbered year. The election notice shall be made a part of the local school election notice published as provided in [section 49.53](#) in each local school district where voting is to occur in the merged area election and the election shall be conducted by the county commissioner of elections pursuant to [chapters 39 through 53](#) and [section 277.20](#).

2. A candidate for member of the board of directors of a merged area shall be nominated by a petition signed by not less than fifty eligible electors of the director district from which the member is to be elected. The petition shall state the number of the director district from which the candidate seeks election, and the candidate's name and status as an eligible elector of the director district. Signers of the petition, in addition to signing their names, shall show their residence, including street and number if any, the school district in which they reside, and the date they signed the petition. A person may sign nomination petitions for more than one candidate for the same office, and the signature is not invalid solely because the person signed nomination petitions for one or more other candidates for the office. The petition shall include the affidavit of the candidate being nominated, stating the candidate's name and residence, and that the individual is a candidate, is eligible for the office sought, and if elected will qualify for the office.

3. Nomination papers on behalf of candidates for member of the board of directors of a merged area shall be filed with the secretary of the board not earlier than seventy-one days nor later than 5:00 p.m. on the forty-seventh day prior to the election at which members of the board are to be elected. On the day following the last day on which nomination petitions can be filed, and no later than 5:00 p.m. on that day, the secretary shall deliver all nomination petitions so filed, together with the text of any public measure being submitted by the board of directors to the electorate, to the merged area's controlling county commissioner of elections under [section 47.2](#). That controlling commissioner shall certify the names of candidates, and the text and summary of any public measure being submitted to the electorate, to all county commissioners of elections in the merged area by the forty-second day prior to the election.

4. *a.* Objections to the legal sufficiency of a nomination petition or to the eligibility of a candidate may be filed by any person who would have the right to vote for a candidate for the office in question.

b. The objection must be filed with the secretary of the board at least forty-two days before the day of the election at which members of the board are elected. When objections are filed, notice shall immediately be given to the candidate affected, addressed to the candidate's place of residence as given on the candidate's affidavit, stating that objections have been made to the legal sufficiency of the petition or to the eligibility of the candidate, and also stating the time and place the objections will be considered. The board secretary shall also attempt to notify the candidate by telephone if the candidate provided a telephone number on the candidate's affidavit.

c. Objections shall be considered not later than two working days following the receipt of the objections by the president of the board of directors, the secretary of the board, and one additional director of the board chosen by ballot. If objections have been filed to the nominations of either of the directors, that director shall not pass on the objection. The director's place shall be filled by a member of the board of directors against whom no objection exists. The replacement shall be chosen by ballot.

5. The votes cast in the election shall be canvassed and abstracts of the votes cast shall be certified as required by [section 277.20](#). In each county whose commissioner of elections is the controlling commissioner for a merged area under [section 47.2](#), the county board of supervisors shall convene on the second Monday or Tuesday after the day of the election

to canvass the abstracts of votes cast from each county in the merged area, and declare the results of the voting. The commissioner shall at once issue certificates of election to each person declared elected, and shall certify to the merged area board in substantially the manner prescribed by [section 50.27](#) the result of the voting on any public question submitted to the voters of the merged area. Members elected to the board of directors of a merged area shall qualify by taking the oath of office prescribed in [section 277.28](#).

[C66, 71, 73, 75, 77, 79, 81, §280A.15]

[88 Acts, ch 1119, §34](#); [88 Acts, ch 1158, §57](#); [89 Acts, ch 136, §67](#)

C93, §260C.15

[93 Acts, ch 35, §1](#); [2008 Acts, ch 1115, §5, 21](#); [2009 Acts, ch 57, §75](#); [2010 Acts, ch 1026, §15](#); [2010 Acts, ch 1033, §35](#); [2015 Acts, ch 106, §1, 6, 7](#); [2017 Acts, ch 155, §4, 9, 10, 32 – 34, 44](#); [2019 Acts, ch 148, §54](#)

Referred to in [§49.31, 50.24](#)

Applicability of 2017 amendment to subsection 5 to regular school elections and to terms of office of directors of local school districts, merged areas, and area education agencies; [2017 Acts, ch 155, §10](#)

2017 amendments to subsections 3 – 5 effective July 1, 2019; [2017 Acts, ch 155, §9, 44](#)

See Code editor's note on simple harmonization at the end of Vol VI

Subsection 3 amended

Subsection 4, paragraph b amended

Subsection 5 amended